

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSEPH EDGELL,

Plaintiff,

v.

MICHAEL REGAN, ADMINISTRATOR OF
THE U.S. ENVIRONMENTAL PROTECTION
AGENCY,

Defendant.

Case No. 2:22-cv-00045-JHC

STIPULATED MOTION AND ORDER
FOR EXTENSION OF TIME

Noted For Consideration:
December 20, 2023

The parties make the following stipulation and move to extend the remaining trial dates for 30 days to allow for meaningful settlement discussions, subject to the Court's approval.

In light of the Court's recent order on summary judgment (Dkt. 66), the parties have been engaged in meaningful settlement discussions. Through those discussions, the parties have reached an agreement that a formal mediation may be productive in reaching a resolution. To that end, the parties are attempting to schedule a mediation in January 2024 and will update the Court if and when that is finalized. In order to allow the parties to focus on that effort and to prevent Plaintiff from having to incur further fees or costs in preparing for trial, the parties have

stipulated to and hereby request a 30-day extension of the remaining trial dates.¹ A court may modify a deadline for good cause. Fed. R. Civ. P. 16(b). Continuing pretrial and trial dates is within the discretion of the trial judge. *See King v. State of California*, 784 F.2d 910, 912 (9th Cir. 1986).

The parties submit that the above facts provide good cause for a brief extension of the trial deadlines. Allowing the parties to participate in meaningful resolution efforts, including before a mediator, will save the Court and the parties significant time and resources.

As such, counsel have conferred and jointly request that the below dates be extended, subject to the Court's availability:

<u>Deadline</u>	<u>Current Date</u>	<u>Extended Date</u>
JURY TRIAL DATE	January 16, 2024	February 19, 2024
Agreed pretrial order due	December 26, 2023	January 25, 2024
Deposition Designation must be submitted to the court (not filed on CM/ECF) by: (see LCR 32(e))	December 28, 2023	January 29, 2024
Pretrial conference to be held at 01:30pm on	January 2, 2024	February 1, 2024
Trial briefs, proposed voir dire, jury instructions by Motions raised in trial briefs will not be considered.	January 9, 2024	February 8, 2024

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¹ Defendant is not opposed to maintaining the January 2, 2024, pretrial conference as a status conference should the Court wish the parties to appear. Defendant also believes that the Court's order on the pending motions in limine will provide additional clarity regarding the scope of issues at trial and such clarity will help the mediation be more successful. Plaintiff would prefer to stay any additional conferences and rulings pending the outcome of mediation to avoid additional costs.

1 DATED this 20th day of December, 2023.

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Counsel for Defendant

I certify that this memorandum contains 398
words in compliance with the Local Rules.

ORDER

This matter comes before the Court on the parties' stipulated motion at Dkt. # 71. The Court GRANTS in part and DENIES in part the motion. The Court STRIKES the January 2, 2024, pretrial conference. The Court sets the following schedule:

<u>Deadline</u>	<u>Extended Date</u>
JURY TRIAL DATE	February 20, 2024
Agreed pretrial order due	January 25, 2024
Deposition Designation must be submitted to the court (not filed on CM/ECF) by: (see LCR 32(e))	January 29, 2024
Pretrial conference to be held at 2:00 pm on	February 5, 2024
Trial briefs, proposed voir dire, jury instructions by Motions raised in trial briefs will not be considered.	February 8, 2024

DATED this 27th day of December, 2023.



JOHN H. CHUN
United States District Judge